

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 13-10083-FDS

SHEKEIRA WILLIAMS, et al., pro se,
Plaintiffs,

v.

LUIS SPENCER, Commissioner, et al.,
Defendants.

MASSACHUSETTS DEPARTMENT OF CORRECTION DEFENDANTS' NON-ASSENTED TO MOTION FOR PROTECTIVE ORDER

The Massachusetts Department of Correction (“Department”) defendants, Commissioner Luis Spencer (“Commissioner Spencer”); Souza-Baranowski Correctional Center (“SBCC”) Superintendent Bruce Gelb (“Superintendent Gelb”); Director of Security Brian McDonald (“DOS McDonald”);¹ Lieutenant Nestor Cruz (“Lieutenant Cruz”); Sergeant Lawrence Amblo (“Sergeant Amblo”); and Correction Officer Lesley Pierre (“CO Pierre”) (collectively as “Department Officials”),² hereby move pursuant to Fed. R. Civ. P. 26(c) for a protective order from Department Defendants having to respond to any of plaintiffs’ discovery requests until such time as a ruling is made on the Department Officials’ motion to dismiss, or in the alternative, for summary judgment. As grounds therefor, the interests of judicial economy would be best served by staying discovery in this case until the Department Officials’ motion to dismiss, or in the alternative, for summary judgment is decided, because it will most likely either obviate the need for discovery or significantly narrow the issues to be decided in this case.

¹ At the time of this incident, DOS McDonald was a Captain.

² Named defendant Osvaldo Vidal has not been served in this matter and, therefore, is not a party to the instant action. See Docket Sheet.

Wherefore, the Department Officials respectfully request a stay of all further proceedings pending the outcome of their motion to dismiss, or in the alternative, for summary judgment.

Respectfully submitted,

NANCY ANKERS WHITE
Special Assistant Attorney General

DATED: December 2, 2013

/s/ C. Raye Poole
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Certificate of Service

I, C. Raye Poole, counsel for the above named defendants, hereby certify that on this 2nd day of December 2013, I served a copy of the above motion by first class mail, postage prepaid, on the plaintiff, Donald Williams, W-97372, at his last known address, SBCC, P.O. Box 8000, Shirley, MA 01464, and on the plaintiff, Shekeira Springer, at her last known address, 16 Stockton Street, Dorchester, MA 02124.

/s/ C. Raye Poole
C. Raye Poole